
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Patty Shwartz
 :
 v. : Magistrate No. 05-3122
 :
 JOHN VELBA, a/k/a "Tattoo John," : CRIMINAL COMPLAINT
 WILLIAM LNU, a/k/a "Will Schreiber," :
 CHERYL BRITTON and HAROLD :
 SMITH, a/k/a "Smitty" :
 :

I, Michael Brokos, being duly sworn state the following is true and correct to the best of my knowledge and belief. From on or about May 31, 2005 to on or about October 25, 2005, in Monmouth County, in the District of New Jersey and elsewhere, defendants JOHN VELBA, a/k/a "Tattoo John," WILLIAM LNU, a/k/a "Will Schreiber," CHERYL BRITTON and HAROLD SMITH, a/k/a "Smitty":

SEE ATTACHMENT A

I further state that I am a Special Agent with the Federal Bureau of Investigation and that this complaint is based on the following facts:

SEE ATTACHMENT B

continued on the attached page and made a part hereof.

Michael Brokos, Special Agent
Federal Bureau of Investigation

Sworn to before me and subscribed in presence,

October 31, 2005, at Newark, New Jersey

HONORABLE PATTY SHWARTZ
UNITED STATES MAGISTRATE JUDGE

Signature of Judicial Officer

ATTACHMENT A

From on or about May 31, 2005 to on or about October 25, 2005, in Monmouth County, in the District of New Jersey and elsewhere, defendants JOHN VELBA, a/k/a "Tattoo John," WILLIAM LNU, a/k/a "Will Schreiber," CHERYL BRITTON and HAROLD SMITH, a/k/a "Smitty," knowingly and wilfully did conspire and agree with each other and others to willfully engage in the business of dealing in firearms without having a license to do so, contrary to Title 18, United States Code, Section 922(a)(1)(A).

OVERT ACTS

In furtherance of the conspiracy and to effect its objects, the following overt acts were committed in the District of New Jersey and elsewhere:

1. On or about June 28, 2005, in Marlboro, New Jersey, defendant HAROLD SMITH sold three firearms and a bulletproof vest to a confidential witness working with law enforcement for approximately \$1,400.
2. On or about July 14, 2005, in Morganville, New Jersey, defendants JOHN VELBA and HAROLD SMITH sold three firearms to a confidential witness working with law enforcement for approximately \$1,200.
3. On or about August 4, 2005, in Morganville, New Jersey, defendant JOHN VELBA, offered to sell a Mosin Nagant 7.62 mm rifle to a confidential witness working with law enforcement for approximately \$600.

4. On or about August 20, 2005, in Marlboro, New Jersey, defendants WILLIAM LNU and CHERYL BRITTON offered to sell a .38 caliber handgun and a rifle to a confidential witness working with law enforcement.

5. On or about October 11, 2005, in Marlboro, New Jersey, defendant JOHN VELBA offered to sell three additional firearms and a hand-grenade to a confidential witness working with law enforcement for approximately \$7,500.

In violation of Title 18, United States Code, Section 371.

ATTACHMENT B

I, Michael Brokos, am a Special Agent with the Federal Bureau of Investigation. I have knowledge of the following facts based upon my investigation, review of reports and discussions with other law enforcement personnel and others:

1. Beginning in or about May 2005, defendant JOHN VELBA asked a confidential cooperating witness ("CW") whether he was interested in purchasing firearms.

2. On or about May 31, 2005, defendant JOHN VELBA offered to sell the CW approximately three (3) firearms.

3. On or about June 28, 2005, in Marlboro, New Jersey, defendant HAROLD SMITH sold the CW three firearms (a Colt Frontier Scout .22-caliber handgun, serial number 113296; a Colt Army .38-caliber handgun, serial number 1824SA; and a Stevens Model 94C 20-gauge shotgun with no visible serial number); and a bulletproof vest for approximately \$1,400.

4. On or about July 14, 2005, in Morganville, New Jersey, JOHN VELBA and HAROLD SMITH sold the CW three firearms (a Remington 870 Winchester 12-gauge shotgun, serial number 594265V; a Marlin Model 60 .22-caliber rifle, serial number 17373779; and a bolt action rifle, serial number 82082) for approximately \$1,200.

5. On or about August 4, 2005, in Morganville, New Jersey, defendant JOHN VELBA offered to sell a Mosin Nagant 7.62 mm rifle to the CW for approximately \$600. Defendant VELBA also gave the CW a round of 7.62 mm ammunition.

6. On or about August 20, 2005, the CW met defendants HAROLD SMITH, WILLIAM LNU, and CHERYL BRITTON in Marlboro, New Jersey. At this meeting, defendants WILLIAM LNU and BRITTON offered to sell the CW a .38-caliber handgun and a rifle, which they showed to the CW.

7. On or about October 11, 2005, in Marlboro, New Jersey, defendants JOHN VELBA, HAROLD SMITH, WILLIAM LNU, and CHERYL BRITTON showed the CW five firearms (a SPAS 12-gauge shotgun with a folding stock, an AK-47 MAK 90 7.62 mm rifle, a “sniper” rifle with a folding stock, a Russian Mosin Nagant 7.62 mm rifle and a .38-caliber handgun). Defendant VELBA offered to sell three of these firearms (the SPAS 12-gauge shotgun, AK-47 MAK 90 7.62 mm rifle, and the “sniper” rifle) and a hand-grenade to the CW for approximately \$7,500.

8. On or about October 25, 2005, the CW met with defendants JOHN VELBA, WILLIAM LNU and HAROLD SMITH in Morganville, New Jersey. Defendant VELBA again offered to sell the CW the various firearms and the hand-grenade that they had discussed on earlier occasions. Defendant VELBA also offered to sell the CW a bulletproof vest for approximately \$400.

9. A check with federal and state law enforcement agencies revealed that defendants JOHN VELBA, CHERYL BRITTON and HAROLD SMITH do not have licenses to sell, possess or carry any firearms.

10. A check with federal and state law enforcement agencies revealed that no one named “William Schreiber” has a license to sell, possess or carry any firearms in the state of New Jersey. A check with federal and state law enforcement agencies further revealed that no one residing at the address known to be used by WILLIAM LNU has a license to sell, possess or carry any firearms. WILLIAM LNU has stated, in substance and in part, to the CW that he uses numerous aliases and numerous forms of fake identification, and a review of various law-enforcement databases has not been able to match anyone named “William Schreiber” with the addresses and vehicles used by WILLIAM LNU. It is believed that “William Scheiter” is an alias used by WILLIAM LNU.